

James E. Howard

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FEE RECEIVED
MAR 28 2011
SURFACE
TRANSPORTATION BOARD

229045

March 25, 2011

FILED
MAR 28 2011
SURFACE
TRANSPORTATION BOARD

VIA FEDERAL EXPRESS

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20024

Re: STB Docket No. AB-1043 (Sub-No. 2)
Montréal, Maine & Atlantic Railway, Ltd.
--Abandonment Exemption--
In Aroostook County, Maine



ENTERED
Office of Proceedings

MAR 23 2011

Part of
Public Record

Dear Ms. Brown:

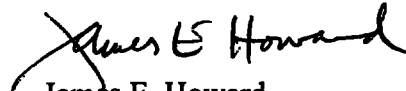
Enclosed for filing on behalf of Montréal, Maine & Atlantic Railway, Ltd. ("MMA") are the original and 10 copies of a Petition for Exemption seeking authority to abandon approximately .4 miles of rail line located in Van Buren, Maine. Also enclosed is a disc containing the Petition in Word format, including the draft form of Federal Register notice.

A check in the amount of \$6,300, representing the filing fee, is also enclosed. Please note, however, that MMA is also requesting the Board, pursuant to an enclosed letter, which is also dated March 25, 2011, to waive the filing fee. Pending a decision on the request for a waiver, MMA wishes the Board to proceed with its processing and review of the Petition

As described in the Petition, the abandonment is necessary in order to enable MMA to sell the abandoned to him and would line and certain adjacent property to the United States General Services Administration for purposes of construction of a land port of entry in Van Buren. Due to the accelerated schedule of the GSA for the land port of entry project, we are requesting the Board to handle the Petition on an expedited basis.

Please let me know if you have questions or need additional information. Thank you very much for your attention to this matter.

Very truly yours,



James E. Howard

Enclosures

FEE RECEIVED
MAR 28 2011
SURFACE
TRANSPORTATION BOARD

**EXPEDITED
CONSIDERATION
REQUESTED**

229045

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB 1043 (Sub-No. 2)



MONTREAL, MAINE & ATLANTIC RAILWAY, LTD.--
ABANDONMENT EXEMPTION --
IN AROOSTOOK COUNTY, MAINE

ENTERED
Office of Proceedings

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FILED
MAR 28 2011
SURFACE
TRANSPORTATION BOARD

PETITION FOR EXEMPTION

James E. Howard
1 Thompson Square
Suite 201
Charlestown, MA 02129
(617) 886-9322

Attorney for Montreal, Maine
& Atlantic Railway, Ltd.

Dated: March 25, 2011

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB 1043 (Sub-No. 2)

MONTREAL, MAINE & ATLANTIC RAILWAY, LTD. 
ABANDONMENT EXEMPTION --
IN AROOSTOOK COUNTY, MAINE



PETITION FOR EXEMPTION

Montréal, Maine & Atlantic Railway, Ltd. ("MMA") hereby requests the Surface Transportation Board (the "STB" or the "Board") to exempt, pursuant to 49 U.S.C. 10502, the abandonment by MMA of approximately .4 miles of rail line (the "Line") located in the Town of Van Buren, Aroostook County, Maine from the requirements of 49 U.S.C. 10903, 10904 and 10905. As described more fully below, the proposed abandonment will not result in any loss of rail service, and it is necessitated solely in order to accommodate a project of the Federal Government.

PROPOSED TRANSACTION

The Line extends between milepost V 23.72 at Bridge Street in Van Buren, Maine and milepost V 24.12 at Main Street in Van Buren, which is the termination point of MMA's Van Buren Subdivision. MMA currently owns and operates a transloading yard located adjacent to the Line just southeast of Bridge Street near milepost V 23.72.

Upon receipt of abandonment authority, MMA proposes to sell the Line and the transloading yard to the United States General Services Administration ("GSA"), which

plans to use the property, together with other property that has been acquired by GSA, for the construction of a new land port of entry facility for the U.S. Customs and Border Protection Agency. The new land port of entry facility will be located at Bridge Street at the end of the international highway bridge between Van Buren and St. Leonard, New Brunswick.

MMA's transloading yard handles inbound shipments of lumber from Canada, which arrive by truck and which are loaded into rail cars for outbound movement. As part of the proposed transaction between GSA and MMA, GSA has agreed to fund the construction of a new transloading facility for MMA. The new transloading facility will be located on the Van Buren Subdivision approximately .7 miles northwest of the current location. MMA anticipates that it will handle the same type and volume of business at the new transloading facility as it currently handles at the existing facility.

GSA intends to use the MMA transloading yard, together with other adjacent parcels of real estate acquired by GSA from other owners, in order to construct the land port of entry facility. GSA will use the Line in order to build a roadway exit from the new land port of entry facility. GSA will acquire the Line, the transloading facility and all of the rail, ties and other track material located on such property, and therefore MMA will not be engaged in any salvaging activities after the abandonment. The GSA project is the subject of an Environmental Assessment and has received all necessary environmental approvals in order to proceed.

Construction of the land port of entry facility by GSA is on an accelerated schedule, because it is being funded pursuant to the American Reinvestment and Recovery Act. GSA is making every effort to accelerate the work so that the new land

port of entry facility will be ready as soon as possible. In order to accomplish this goal, GSA needs to acquire the Line and the existing MMA transloading yard and complete the construction of the new transloading facility. As a consequence of this urgency, MMA respectfully requests the Board to consider and decide this Petition on an expedited basis so that MMA is able to sell the property to GSA at the earliest possible date.

THE LINE

The Line is the stub end of the Van Buren Subdivision. Prior to the 1980s, the Van Buren Subdivision extended between Madawaska, Maine and Caribou, Maine. In the 1980s, the portion of the Subdivision between milepost V 24.12, the current termination of the Subdivision, and Caribou was abandoned.

There are no rail customers that have facilities located on the Line, and no such facilities are foreseen. There has been no overhead traffic on the Line since the abandonment of the rest of the Van Buren Subdivision between milepost V 24.12 and Caribou in the 1980s. The only rail traffic on the Line consists of lumber that is received at MMA's transloading facility at milepost V 23.72 by trucks originating in Canada. The lumber is transloaded and moved by rail over the MMA system and to connections to the south and west. In 2010, approximately 2000 trucks loaded with lumber arrived at the transloading facility, and approximately 675 rail cars loaded with lumber left the facility. MMA anticipates that the level of business into and out of the new transloading facility that is being constructed by GSA will continue to be approximately the same. The Town of Van Buren supports the relocation of the MMA transloading yard and the operations that will be transacted there after the yard is completed and operations shift from the

existing yard. See letter dated February 14, 2011 from the Town of Van Buren, which is attached as Exhibit A.

Two maps of the Line are attached hereto as Exhibit B. One map depicts the Line and its relation to other rail lines, highways, water routes and towns in the area, and the second map provides a closer view of the Line and its relationship to streets in Van Buren. The Line is located in United States Postal Service ZIP code 04785. Based upon information available to MMA, it does not appear that the Line contains any federally granted rights-of-way. Any documentation in MMA's possession concerning title will be made available to persons requesting such information.

ARGUMENT

As the Board well knows, it must exempt a transaction from regulation when it finds that (1) regulation is not necessary to carry out the rail transportation policy of 49 U.S.C. 10101 and (2) either (a) the transaction is of limited scope or (b) regulation is not necessary to protect shippers from the abuse of market power. Over the years, the Board has regularly followed the Congressional intent to use this exemption authority liberally in order to eliminate administrative and financial costs associated with the continued regulation of abandonments. As shown below, the abandonment of the Line should be exempted from the provisions of 49 U.S.C. 10903, 10904, 10905 and the trail use regulations set forth at 49 CFR 1152.29.

I. Regulation is Not Necessary to Carry Out the Transportation Policy.

Detailed scrutiny of the proposed abandonment is not necessary to carry out the rail transportation policy. Exemption would minimize the expense associated with the preparation and filing of a formal abandonment application, expedite a decision and

reduce regulatory barriers to exiting from the rail transportation business. 49 U.S.C. 10101 (2) and (7). As described above, abandonment will not result in the loss of any rail service. Rather, the customers currently served on the Line will continue to be served by MMA at a new facility to be located approximately .7 miles away. Consequently, granting the exemption would further sound economic conditions in the rail industry and encourage efficient management by permitting the rationalization of an unnecessary line. 49 U.S.C. 10101 (3), (5) and (9).

Exemption will not adversely affect other aspects of the rail transportation policy. For example, competition and the continuation of a sound rail transportation system will not be affected, because rail service will be maintained after the abandonment.

II. The Transaction is of Limited Scope.

The proposed transaction is clearly of limited scope. The Line is .4 miles in length, and it forms the stub end of the Van Buren Subdivision. The only business currently served by the Line involves 2 customers that deliver lumber by truck to the MMA transloading yard. As explained above, the 2 customers will continue to be served by MMA in the same manner as they are served today.

III. There Will be No Abuse of Market Power.

The abandonment will not result in any opportunity to abuse market power, much less any actual abuse. The 2 customers served by the transloading facility on the Line will continue to be served by MMA at the new transloading facility being constructed by GSA. Consequently, regulation of the transaction is not necessary in order to protect any shippers from any potential abuse of market power.

IV. Offers of Financial Assistance Should Not be Entertained.

The application of 49 U.S.C. 10904 to the proposed abandonment is not necessary to carry out the rail transportation policy, and the transaction should, therefore, be exempted from the offer of financial assistance ("OFA") requirements. As the Board has noted, it has routinely granted exemptions from the OFA requirements when the right-of-way in question is needed for a valid public purpose and there is no overriding public need for continued rail service. See, for example, Consolidated Rail Corp.--Abandonment Exemption--In Hudson County, NJ, STB Docket No. AB 167 (Sub-No. 1190X), decision served May 17, 2010 and decisions cited therein.

In this case, the validity and importance of the public purpose is evident. GSA has been diligently acquiring and assembling parcels of property for the construction of the new land port entry facility. The Line and the existing MMA transloading facility are particularly important to GSA, because they are located at the center of the site of the new land port facility, at the end of the international highway bridge. Furthermore, there is no potential loss of rail service to balance against the public need for the abandonment and sale of the Line. Rail service will be continued at the new transloading facility that will be constructed for use by MMA and its existing customers.

V. The Transaction Should be Exempted from Public Use and Trail Use Conditions.

Just as it would be inconsistent to apply the OFA conditions to the abandonment, it would be inappropriate to subject the transaction to the customary public use and trail use conditions. The Line has already been identified by GSA for an eminently important public use that would preclude any ability to use the Line for any other public purpose. Similarly, construction of the land port facility would be impossible while

accommodating a potential trail use agreement. In these circumstances, exemption from the public use and trail use conditions is the only reasonable course.

OTHER MATTERS

A Combined Environmental and Historic Report was filed with the Board on February 24, 2011 and served as required by the regulations. Responses that MMA has received as a result of serving the Report are attached as Exhibits C through F.

Specifically, the Maine Department of Inland Fisheries & Wildlife has found that there are no endangered species, threatened species or significant habitats relating to a variety of wildlife within the abandonment area (Exhibit C), and the Maine Department of Conservation has determined that there are no rare botanical features within the area (Exhibit D). The Maine Department of Inland Fisheries & Wildlife has also concluded that there are no known threatened, endangered or special status inland fish species or habitat within the proposed abandonment area (Exhibit E), and the Maine State Historic Preservation Officer ("SHPO") has determined that there are no historic properties affected by the proposed transaction and that no further consultation pursuant to Section 106 of the National Historic Preservation Act is necessary (Exhibit F).¹

The interests of railroad employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protection conditions set forth in Oregon Short Line Railroad Co.--Abandonment--Goshen, 360 ICC 91 (1979).

A draft Federal Register notice is attached hereto as Exhibit H. The newspaper notice required by 49 CFR 1105.12 was published in the Bangor Daily News, a

¹ The response from SHPO was provided at the bottom of a letter addressed to the United States Environmental Protection Agency, which indicated to MMA that the names and addresses on the transmittal letters by which the Combined Environmental and Historic Report were sent to the required parties may not have corresponded with the names and addresses on the envelopes. As a consequence, MMA sent a letter of explanation, a copy of which is attached as Exhibit G, to each such party.

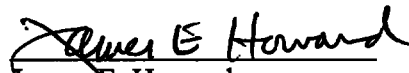
newspaper of general circulation in Aroostook County, on March 24, 2011. A copy of the notice, as published, is attached as Exhibit I.

CONCLUSION

For the reasons set forth above, MMA respectfully requests the Board to exempt the proposed abandonment of the Line from the provisions of 49 U.S.C. 10903, 10904 and 10905 and from the regulations governing trail use conditions. Furthermore, MMA requests that the Board handle this Petition expeditiously, including making the decision in effective as of the date of service, in order to accommodate the construction scheduling needs of GSA.

Respectfully submitted,

MONTREAL, MAINE &
ATLANTIC RAILWAY, LTD.


James E. Howard

1 Thompson Square
Suite 201
Charlestown, MA 02129
(617) 886-9322 telephone
(617) 886-9324 facsimile
jim@jehowardlaw.com e-mail

Attorney for Montreal, Maine &
Atlantic Railway, Ltd.

Dated: March 25, 2011

Certificate of Service and Publication

I hereby certify that the foregoing Petition for Exemption was served by mailing a copy by first class mail, postage prepaid, as of March 25, 2011 to the following:

Maine Public Utilities Commission
18 State House Station
Augusta, ME 04333-0018

SDDCTEA
ATTN: SDTE-SA
Railroads for National Defense
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

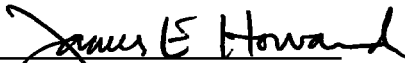
Chief of National Recreation and Trails
U.S. Dept. of Interior - National Park Service
Recreation Resources Assistance Division
1849 C Street, NW
Washington, DC 20240-0001

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor NW, Yates Building
201 14th Street, SW
Washington, DC 20250

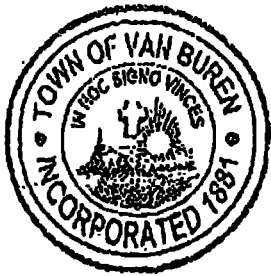
Toni Kemmerle
Chief Counsel
Department of Transportation
State of Maine
16 State House Station
Augusta, ME 04333-0016

I hereby certify that a notice of abandonment was published in the Bangor Daily News, a newspaper of general circulation in Aroostook County, on March 24, 2011 in the form attached hereto as Exhibit I.

Dated: March 25, 2011



James E. Howard



*Town of Van Buren
51 Main Street, Suite 101
Van Buren, Maine 04785*

207-668-2886 / FAX 207-668-2222

Gateway
To The
St. John Valley

February 14, 2011

Robert C. Grindrod, President
Montréal, Maine & Atlantic Railway, Ltd.
15 Iron Road
Heron, ME 04401

Re: MMA Transloading Facility, Van Buren, Maine

Dear Mr. Grindrod:

At the request of the General Services Administration, we are providing this letter regarding the position of The Inhabitants of the Municipality of Van Buren, Maine, a body corporate, located at 51 Main Street, Van Buren, Aroostook County, Maine, (the "Town"), on the construction and operation by Montréal, Maine & Atlantic Railway, Ltd. ("MMA"), on certain land located in Van Buren, of a railroad transloading facility to replace MMA's existing transloading facility, also located in Van Buren. The new transloading facility will be comprised of 5.33+/- acres of land and is shown on the plan attached hereto as Exhibit A. It is our understanding that the relocation of the transloading facility is an essential element of GSA's plan to build a new land port of entry in Van Buren and that MMA is not willing to consent to the relocation without certain assurances from the Town. In these circumstances, GSA has requested, and the Town is willing to provide, assurance, for the benefit of MMA, which will be the owner and operator of the new facility, that the new facility may be constructed, used and operated as a rail transloading facility, and that trucks may access the new facility via US Route 1 in Van Buren and a new private driveway off Route 1, without objection or opposition by the Town.

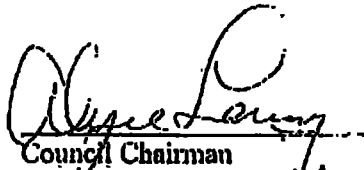
The Town hereby agrees that it does not object to or oppose the construction of the new facility and the operation and use of the property shown on Exhibit A as a railroad transloading facility. The Town will not attempt to rely on any regulations or ordinances, including zoning or land use regulations or ordinances, to attempt to prohibit such construction or use or to require any permitting or preclearance approvals. Furthermore, the Town does not object to the trucks associated with the operation and use of the new facility accessing the facility via US Route 1 in Van Buren and a new private driveway off U.S. Route 1. It is the understanding of the Town that any attempt by the Town to prohibit or regulate such construction, operation or use would be

Van Buren is an Equal Opportunity Employer & Provider

Exhibit A

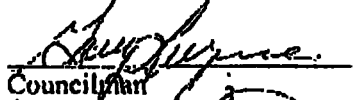
prohibited the federal preemption provision contained in 49 U.S.C. 10501(b), as broadened by the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (1995) (ICTTA).

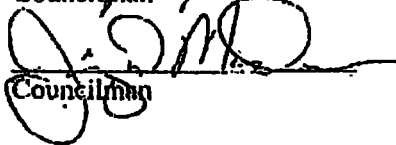
I am authorized to sign and send this letter on behalf of the Town, and I hereby represent that this is a binding commitment on behalf of the Town.


Council Chairman


Council Secretary


Councilman

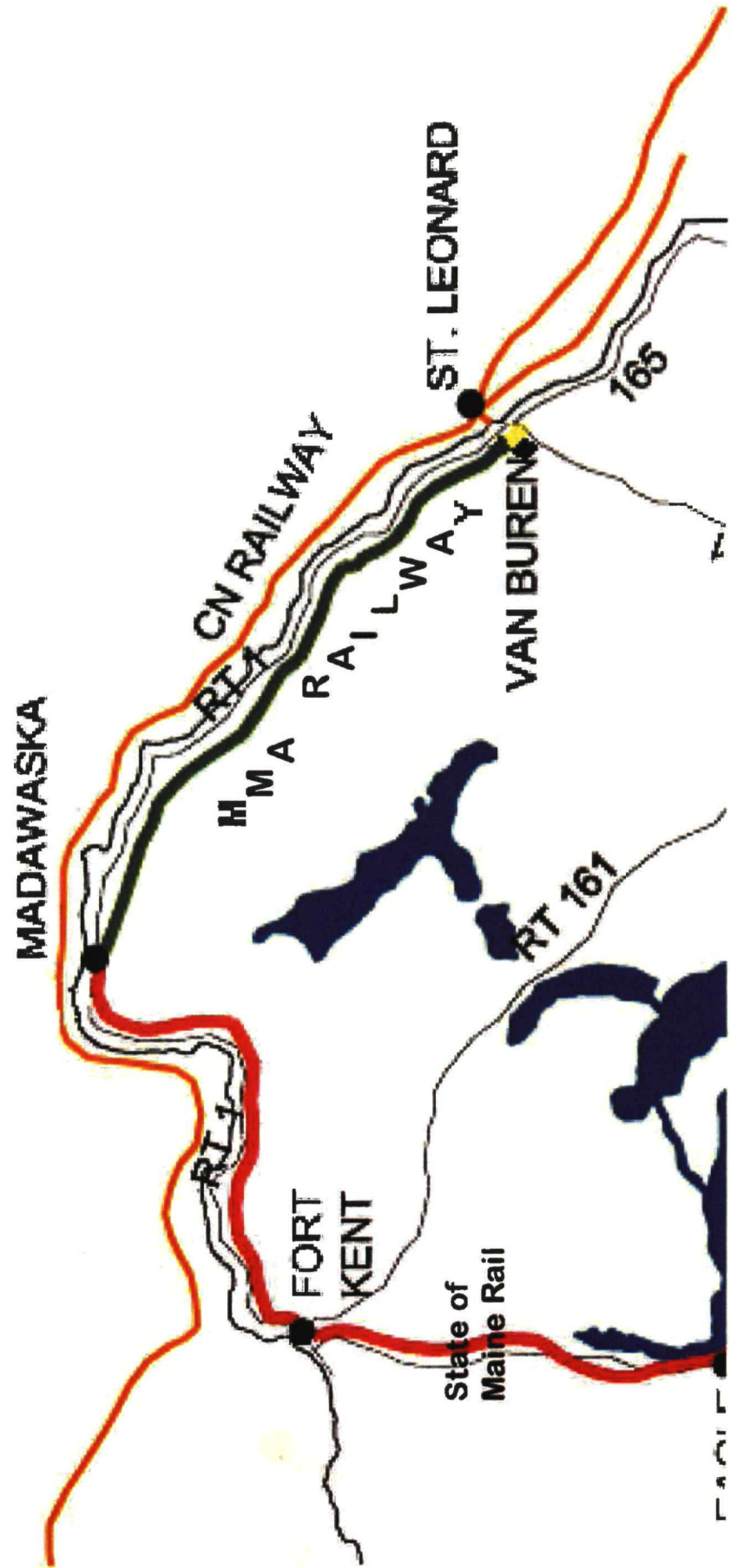

Councilman


Councilman

Line To Be Abandoned

Scale: 1" = 6 miles

New Brunswick



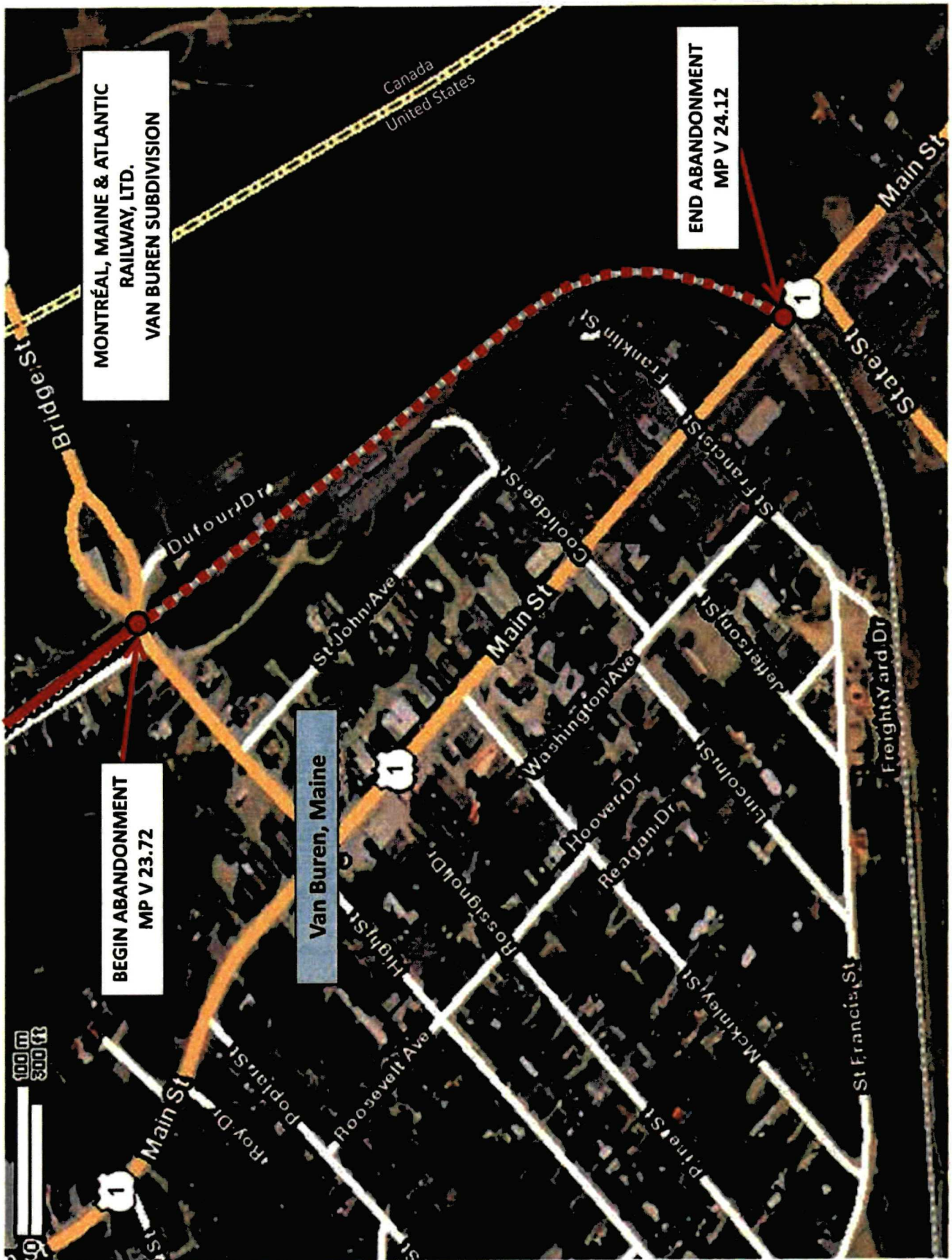


Exhibit B



PAUL R. LHPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
284 STATE STREET
41 STATE HOUSE STATION
AUGUSTA, ME 04333-0041
TEL: 207-287-8000

CHANDLER WOODCOCK
COMMISSIONER

Tuesday, March 01, 2011

Mr. James Howard
1 Thompson Square, Suite 201
Charlestown, MA 02129

Ref: Abandonment Exemption-Town of Van Buren, Aroostook Co, Maine

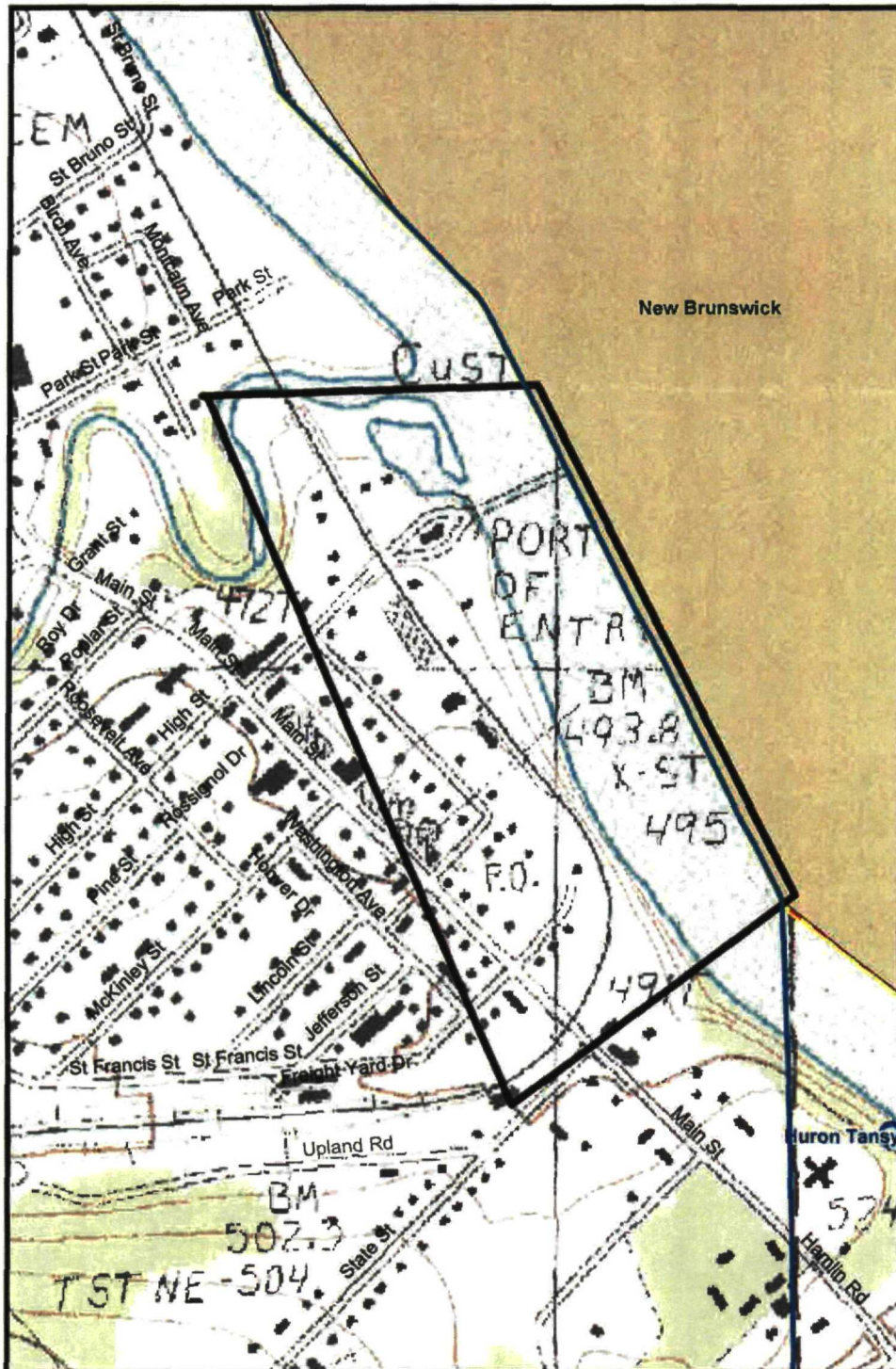
Dear Mr. Howard:

After review of the project site as presented by your enclosed map, the Wildlife Division for the Maine Department of Inland Fisheries and Wildlife finds no Endangered or Threatened Species (ETS) or significant habitats within the proposed abandon line location (V23.72—V 24.12). I have enclosed a copy of the habitat search for your convenience. Should you have any further questions please don't hesitate to call or email. Thank you for your time and consideration in this matter.

Regards,

Richard Hoppe
Regional Wildlife Biologist, Ashland Office
PO Box 447
Ashland, ME 04732

Search for Wildlife Observations & Habitat-



- Piping Plover / Least Tern Nesting, Feeding, & Brood-rearing Area
- Roseate Tern Nesting Area
- Deer Winter Area
- Inland Waterfowl / Wading Bird Habitat
- Tidal Waterfowl / Wading Bird Habitat
- Seabird Nesting Island
- Shorebird Area
- Significant Vernal Pool
- Endangered, Threatened, & Special Concern Species Habitat
- Township Boundary
- County

Van Buren MM&A RR Abandonment

0 0.06 0.12 0.18 0.24 Miles

1 = 8,000

UTM Projection, Zone 19N, NAD83



P.O. Box 447
Ashland, ME 04732-0447
Voice: (207) 435-3231
Fax: (207) 435-2009
February 28, 2011



HMaprpt
MAINE DEPARTMENT OF INLAND FISHERIES & WILDLIFE
P.O. Box 447, Ashland, ME 04732-0447
Phone: (207) 435-3231, FAX: (207) 435-2009

SITE-SPECIFIC SEARCH of WILDLIFE OBSERVATIONS and HABITAT

=====

Search Parameters

County: Aroostook
IF&W Region: G
Township(s): Hamlin, Van Buren
Search Center: 580969 east, 5223131 north (UTM NAD83 coordinates)
Search Area: 0.12 sq. miles
Date: Monday, February 28, 2011

Results

ESSENTIAL WILDLIFE HABITATS

Piping Plover / Least Tern Nesting, Feeding, and Brood-rearing Areas
None Found

Roseate Tern Nesting Areas
None Found

NATURAL RESOURCE PROTECTION ACT (NRPA) HABITATS

Seabird Nesting Islands
None Found

Deer Winter Areas
None Found

Inland waterfowl/Wading Bird Habitats
None Found

Tidal waterfowl/Wading Bird Habitats
None Found

Shorebird Areas
None Found

Significant Vernal Pools
None Found

LAND USE REGULATION COMMISSION (LURC) DEER WINTER AREAS AND SEABIRD NESTING ISLANDS
None Found

ENDANGERED, THREATENED, OR SPECIAL CONCERN SPECIES OBSERVATIONS

Environmental Review Polygons
None Found



STATE OF MAINE
DEPARTMENT OF CONSERVATION
93 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0093

PAUL R. LEPAGE
GOVERNOR

WILLIAM H. BEARDSLEY
COMMISSIONER

February 28, 2011

James Howard
Attorney at Law
1 Thompson Square, Suite 201
Charlestown, MA 02129

Re: Rare and exemplary botanical features in proximity to: STB Docket No. AB-1043 (Sub-No. 2),
Montreal, Maine & Atlantic Railway, Ltd., Abandonment Exemption, Van Buren, Aroostook County,
Maine

Dear Mr. Howard:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request of February 21, 2011 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in Van Buren, Aroostook County, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

The Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$75.00 for our services.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,



Don Cameron
Ecologist
Maine Natural Areas Program
207-287-8041
don.s.cameron@maine.gov

Enclosures



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
284 STATE STREET
41 STATE HOUSE STATION
AUGUSTA, ME 04333-0041
TEL: 207-287-8000

COMMISSIONER

March 2, 2011

PO Box 447
Ashland, ME 04732

James E. Howard
1 Thompson Square
Suite 201
Charlestown, MA 02129

RE: STB Docket No. AB-1043 (Sub-No. 2)
Montreal, Maine & Atlantic Railway, Ltd.
—Abandonment Exemption—
In Aroostook County, Maine

Dear Mr. Thompson:

Please be advised that there are no known threatened, endangered or special status inland fish species or habitat within or adjacent the proposed rail line abandonment in the town of Van Buren, Maine.

Sincerely,

David J. Basley
Regional Fishery Biologist

James E. Howard

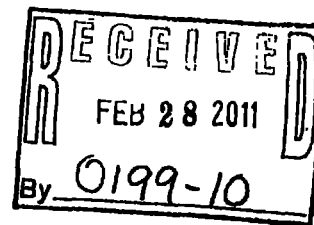
Attorney at Law

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Charlestown, MA 02129
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tel 617.886.9322
fax 617.886.9324
cell 617.905.6083
jim@jehowardlaw.com

February 24, 2011

U.S. Environmental Protection Agency
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912



Re: STB Docket No. AB-1043 (Sub-No. 2)
Montréal, Maine & Atlantic Railway, Ltd.
--Abandonment Exemption--
In Aroostook County, Maine

Dear Sir/Madam:


I represent Montréal, Maine & Atlantic Railway, Ltd. ("MMA"). MMA plans to file a Petition for Exemption with the Surface Transportation Board ("STB") on or about March 22, 2011 seeking authority to abandon approximately .4 miles of rail line in Van Buren, Maine between milepost V 23.72 (Bridge Street) and milepost V 24.12 (Main Street), which is part of the Van Buren Subdivision (the "Line"). Attached is a Combined Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis ("SEA"), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423, (202) 245-0245, and refer to the above Docket No.

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within 3 weeks. Your comments will be considered by the STB in evaluating the environmental and historic preservation impacts of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned at (617) 886-9322 or by mail at the above address.

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.


Kirk F. Mohnery,
Deputy State Historic Preservation Officer
Maine Historic Preservation Commission

3/2/11
Date

Very truly yours,

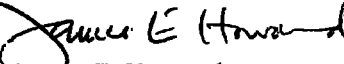

James E. Howard

Exhibit F

James E. Howard

Attorney at Law

1 Thompson Square
Suite 201
Charlestown, MA 02129
www.jehowardlaw.com

tel 617.886.9322
fax 617.886.9324
cell 617.905.6083
jim@jehowardlaw.com

March 14, 2011

**Re: STB Docket No. AB-1043 (Sub-No. 2)
Montréal, Maine & Atlantic Railway, Ltd.
--Abandonment Exemption--
In Aroostook County, Maine**

To: Attached List (Exhibit 1)

By letter dated February 24, 2011, in the form enclosed as Exhibit 2, I provided, to each of the persons or entities listed in Exhibit 2, a copy of a Combined Environmental and Historic Report relating to a proposed abandonment that is being pursued by Montréal, Maine & Atlantic Railway, Ltd. We have discovered that it is possible that the address on the letter that you received might not have corresponded with the address on the envelope. Some of the addressees have responded, but others have not.

I apologize for any confusion that may have been created. If you have not responded to the letter and Report, please feel free to do so. If you have questions or need more information, please let me know. Thank you.

Very truly yours,



James E. Howard

Exhibit 1

**Maine State Planning Office
38 State House Station
Augusta, ME 04333**

**Natural Resources Conservation Service
U.S. Department of Agriculture
967 Illinois Avenue, Suite 3
Bangor, ME 04473**

**U.S. Department of the Interior
Fish and Wildlife Service
Maine Field Office – Ecological Services
17 Godfrey Drive, Suite #2
Orono, ME 04473**

**U.S. National Park Service Northeast
Region
U.S. Custom House
200 Chestnut Street, 5th Floor
Philadelphia, PA 19106**

**U.S. Environmental Protection Agency
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912**

**Maine Department of Environmental
Protection
State House Section 17
Augusta, ME 04333**

**U.S. Army Corps of Engineers New
England District
696 Virginia Road
Concord, MA 01742**

**Maine Historic Preservation Commission
55 Capitol Street
Station 65
Augusta, ME 04333**

**Lisa St. Hilaire
Maine Natural Areas Program
Department of Conservation
93 State House Station
Augusta, ME 04333-0093**

**Steve Timpano
Maine Department of Inland Fisheries and
Wildlife
284 State St.
State House Station 41
Augusta, ME 04333-0041**

**Douglas F. Beaulieu
County Administrator
County of Aroostook
County Commissioners' Office
144 Sweden Street, Suite 1
Caribou, Maine 04736**

**U.S. National Geodetic Survey
NGS Information Services, NOAA,
N/NGS12
National Geodetic Survey SSMC-3, #9202
1315 East-West Highway
Silver Spring, MD 20910-3282**

Exhibit 2

Re: STB Docket No. AB-1043 (Sub-No. 2)
Montréal, Maine & Atlantic Railway, Ltd.
--Abandonment Exemption--
In Aroostook County, Maine

Dear Sir/Madam:

I represent Montréal, Maine & Atlantic Railway, Ltd. ("MMA"). MMA plans to file a Petition for Exemption with the Surface Transportation Board ("STB") on or after March 22, 2011 seeking authority to abandon approximately .4 miles of rail line in Van Buren, Maine between milepost V 23.72 (Bridge Street) and milepost V 24.12 (Main Street), which is part of the Van Buren Subdivision (the "Line"). Attached is a Combined Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis ("SEA"), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423, (202) 245-0245, and refer to the matter described above.

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within 3 weeks. Your comments will be considered by the STB in evaluating the environmental and historic preservation impacts of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned at (617) 886-9322 or by mail at the above address.

Very truly yours,

James E. Howard

STB No. AB 1043 (Sub-No. 2)

Notice of Petition for Exemption to Abandon

On March __, 2011 Montreal, Maine & Atlantic Railway, Ltd. filed with the Surface Transportation Board, Washington, DC 20423, a petition for exemption for the abandonment of a line of railroad known as a portion of the Van Buren Subdivision, extending from railroad milepost V 23.72 near Bridge Street in Van Buren, Maine to milepost V 24.12, which is also in Van Buren, Maine, which traverses through United States Postal Service ZIP code 04785, a distance of approximately .4 miles, in Aroostook County, Maine. The line for which the abandonment request was filed includes no stations.

The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by Oregon Short Line Railroad Co.--Abandonment--Goshen, 360 ICC 91 (1979).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the FEDERAL REGISTER.

Persons seeking further information containing abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAC in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Legal Notices

NOTICE OF PUBLIC FORECLOSURE SALE
Pursuant to 14 M.R.S.A. §6323

By virtue of and in execution of a Judgment of Foreclosure and Order of Sale entered on December 14, 2010, in the Aroostook County Superior Court, Civil Action Docket No. 10-2010-27 in an action brought by Vanderbilt Mortgage and Finance, Inc., Plaintiff, against Elmer E. Whitaker, Jr. and Karla J. Whitaker, Defendants, for the foreclosure of a mortgage dated April 24, 2002, and recorded in the Aroostook County Registry of Deeds in Book 3650, Page 135, the statutory ninety (90) day redemption period having elapsed without redemption, notice is hereby given that the aforementioned property will be sold at a public sale at 2:00 p.m. on April 27, 2011, at the law offices of Jerome J. Gamache, Esquire, AINSWORTH, THELIN & RAFTICE, P.A., Seven Ocean Street, South Portland, ME 04106, (207) 767-4824, all and singular the premises described in said mortgage and being a certain lot of land with the buildings thereon, situated in the Town of Presque Isle, County of Aroostook, and State of Maine, described in said mortgage as being located at 28 Spragueville Road. Notes: The identification of the location of the property is as stated in the mortgage, which may have been subject to change and/or differ from the Town records.

TERMS OF SALE:

The property shall be sold to the highest bidder at the sale, who shall pay a deposit of Five Thousand and No/100 Dollars (\$5,000.00) in cash, certified check or funds acceptable to mortgagee at the time and place of sale. The successful bidder shall be required to execute a Purchase and Sale Agreement with said Vanderbilt Mortgage and Finance, Inc. with the aforesaid Five Thousand and No/100 Dollars (\$5,000.00) or sum equal to ten percent (10%) of the bid price, whichever is greater, as a non-refundable and non-interest bearing deposit thereon providing for a closing within thirty (30) days of the date of the public sale, at which time the balance of the bid price will be due and payable in cash, certified check or check acceptable to mortgagee upon presentation of the Deed. The property will be sold subject to all easements and rights of way either of record or otherwise existing. The property will be sold subject to real estate taxes assessed and due and payable to the Town of Presque Isle, water and sewer charges and any liens and encumbrances of greater priority than said mortgage. The property shall be sold AS IS, and WHERE IS without any warranties whatsoever expressed, implied or otherwise which warranties are disclaimed. Additional terms to be announced at the sale.

Prospective bidders are advised to contact Ainsworth, Thelin & Raftice, P.A. as close as possible to their departure to attend the sale in order to confirm the occurrence of the sale as scheduled. Prospective bidders who reside outside a fifty (50) mile radius of Portland, Maine, may participate at the sale via telephone upon approval obtained from Ainsworth, Thelin & Raftice, P.A. at least five (5) days prior to the sale and on such terms as are acceptable to mortgagee.

DATED: March 17, 2011

Jerome J. Gamache, Esq.
Attorney for Vanderbilt
Mortgage and Finance, Inc.AINS WORTH, THELIN & RAFTICE, P.A.
P.O. Box 2412
South Portland, ME 04118-2412
(207) 767-4824

March 24, 31, April 7, 2011

Legal Notices

NOTICE OF PUBLIC FORECLOSURE SALE
Pursuant to 14 M.R.S.A. §6323

By virtue of and in execution of a Judgment of Foreclosure and Order of Sale entered on December 8, 2010, in the Penobscot County Superior Court, Civil Action Docket No. BANSC-RE-2010-00760, in an action brought by Midfirst Bank, Plaintiff, against Elizabeth L. Teixeira, Defendant, for the foreclosure of a mortgage dated November 28, 2007, and recorded in the Penobscot County Registry of Deeds in Book 11215, Page 27, the statutory ninety (90) day redemption period having elapsed without redemption, notice is hereby given that there will be sold at a public sale at 2:00 p.m. on April 28, 2011, at the law offices of Paul E. Thelin, Esquire, AINSWORTH, THELIN & RAFTICE, P.A., Seven Ocean Street, South Portland, ME 04106, (207) 767-4824, all and singular the premises described in said mortgage and being a certain lot of land with the buildings thereon, situated in the City of Bangor, County of Penobscot, and State of Maine, described in said mortgage as being located at 81 Court Street, Bangor, Maine. (Note: The identification of the location of the property is as stated in the mortgage, which may have been subject to change and/or differ from the City/Town records).

TERMS OF SALE:

The property shall be sold to the highest bidder at the sale, who shall pay a deposit of Five Thousand and No/100 Dollars (\$5,000.00) in cash, certified check or funds acceptable to mortgagee at the time and place of sale. The successful bidder shall be required to execute a Purchase and Sale Agreement with said Midfirst Bank with the aforesaid Five Thousand and No/100 Dollars (\$5,000.00) or sum equal to ten percent (10%) of the bid price, whichever is greater, as a non-refundable and non-interest bearing deposit thereon providing for a closing within thirty (30) days of the date of the public sale, at which time the balance of the bid price will be due and payable in cash, certified check or check acceptable to mortgagee upon presentation of the Deed. The property will be sold subject to all easements and rights of way either of record or otherwise existing. The property will be sold subject to real estate taxes assessed and due and payable to City of Bangor, water and sewer charges and any liens and encumbrances of greater priority than said mortgage. The property shall be sold AS IS, and WHERE IS without any warranties whatsoever expressed, implied or otherwise which warranties are disclaimed. Additional terms to be announced at the sale. Additional information concerning the property may be found at www.mymidfirstmortgage.com/foreclosure.

Prospective bidders are advised to contact Ainsworth, Thelin & Raftice, P.A. as close as possible to their departure to attend the sale in order to confirm the occurrence of the sale as scheduled. Prospective bidders who reside outside a fifty (50) mile radius of Portland, Maine, may participate at the sale via telephone upon approval obtained from Ainsworth, Thelin & Raftice, P.A. at least five (5) days prior to the sale and on such terms as are acceptable to mortgagee.

DATED: March 9, 2011

Paul E. Thelin, Esq.
Attorney for Midfirst BankAINS WORTH, THELIN & RAFTICE, P.A.
P.O. Box 2412
South Portland, ME 04118-2412
(207) 767-4824
March 17, 24, 31, 2011

Legal Notices

Notice of Intent to Abandon

Montreal, Maine & Atlantic Railway, Ltd. gives notice that on or about March 22, 2011 it intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for abandonment under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of a .4 mile line of railroad between milepost V 23.72 near Bridge Street in Van Buren, Maine, which traverses through United States Postal Service ZIP Code 04785, and railroad milepost V 24.12, near Main Street in Van Buren, which traverses through United States Postal Service ZIP Code 04785, in Aroostook County, Maine. The proceeding has been docketed as No. AB 1043 (Sub-No. 2).

The Board's Section of Environmental Analysis ("SEA") will generally prepare and Environmental Assessment ("EA"), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, Washington, DC 20423 or by calling SEA at 202-245-0285.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423-0001 (see 49 CFR 1104.1(a) and 1104.3(a)), and one copy must be served on applicant's representative (see 49 CFR 1104.12(a)). Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative, James E. Howard, 1 Thompson Square, Suite 201, Charlestown, MA 02128, March 24, 25, 2011.



250
FINANCIAL

Business
Opportunities 255

CASTINE - The Breeze, seasonal take-out on the town dock for sale. Call 326-4493

Great Ellsworth Location!!
NAILS & SPA BOUTIQUE
w/option for hair, massage & others. Leased bldg. Veritas, 413-433-1182 or 413-687-4539

GREAT PAY! - Seeking exp. Satellite installers. Must have own meter and truck. Call Scott today! (612) 689-4679

SCENTSY WICKLESS CANDLES
Join Today! Start Earning Now!
<http://www.scentsy.com>WORKING 40 HRS TO BE POOFY
Learn to operate a Mini-Office Outfit from home.
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300
AGRICULTURE
Farmer's Market 305

Bargain Hunter's
Basement 361

CUCKOO CLOCK - German, 8-day, 32 yrs, has deer, rabbit, bird & more. \$175. 938-2031

DEERKS BENTLEY TICKETS
Andreacoplin Bank Coliseum.
2 pair, \$45 each. 270-3701

DISHWASHER - Frigidaire, stainless front, as new, manuals incl. \$196. 285-3136

ELECTRIC ORGAN
Hammond Pipe II good cond, \$100/best offer. 882-4178

FISHING LINE - New Remington Stren, Trilene, Asa's, \$3-\$5. Brewer, 852-4779

FISHING LURES - Fly like vintage, 14" long. \$2.00 ea. 852-4778, Brewer.

FURNACE - Miller, less than 10 yrs. old, Wayne burner, \$250. Call 338-2384

GOLF CLUBS - Taylor made R9 Iron set, 3-PW, used 20-30 rounds. Mint. KBS Stiff Steel, standard, \$375. 735-4665

HELMET - Motorcycle. Size XL. CXX VGS full face. Best venting \$50. Brewer 852-4779

HUBCAPS - SS, 1983. \$90 set. 1984-85-86, \$80 set. Call 230-1185

I-POD TOUCH - 8 GB with many accessories, \$225. Guitar Hero Aerosmith with 2 wireless controllers, \$50. PS3 drum set, \$25. 848-6762

JEANS - Woman's size 4. Some colors, some denim. Very good cond. \$3.50/pair. 825-3878

JEEP CJ7 - for parts only, 1979, 258, 4 spd, hard top, extras, \$450. 843-5952

KAYAK - 12' with paddle and life vest, \$300 or best offer. Call 713-1860

KENNY CHESNEY TICKETS

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B. J. J. J.

Exhibit I

Legal Notices

REQUEST FOR PROPOSALS

The Town of Glenburn is seeking proposals from contractors for maintenance of the town's cemeteries. A copy of the bid specifications/request for proposals may be obtained at the Glenburn Town Office during normal business hours. Proposals must be received at the Glenburn Town Office, 144 Lakeview Road, no later than 4:00 PM, on Wednesday, April 6, 2011. The public opening of the submitted proposals will take place at the Glenburn Town Office at 4:01 p.m. on April 6, 2011. The Town Council is expected to discuss the bid submissions and possibly make an award at the Town Council meeting that is scheduled to begin at 7:00 p.m. on Thursday, April 7, 2011. The Town of Glenburn reserves the right to reject any or all proposals; waive any defects, informalities and minor irregularities; to accept exceptions to these specifications; and make such award or not otherwise as it deems may be in the town's best interest. If you have any questions regarding the Request for Proposals, please do not hesitate to contact Michael Crocker at the Glenburn Town Office at 942-2805.

Proposals should be submitted to:

Town of Glenburn,
"Cemetery Maintenance Bid"
Attn: Michael Crocker
144 Lakeview Road
Glenburn, ME 04401

March 24, 2011

Legal Notices

REQUEST FOR PROPOSALS

Career Systems Development Corp. (CSDC) is soliciting proposals for a 20' x 30' Gale House Construction Project at the Penobscot Job Corps Academy in Bangor, Maine. Structure to include 8' CMU with brick face and trussed hip roof.

Bid packages, including site drawings may be obtained by attending a mandatory pre-bid meeting on Thursday, April 7, 2011 at 9:00 a.m. at the Penobscot Job Corps Academy. This will be the only time contractors will be able to visit the site and review existing conditions prior to submitting a bid. Sealed bid packages to be submitted to the Purchasing Office at 1375 Union Street, Bangor, Maine 04401. Attention: James Solomon, Purchasing Agent. The Purchasing Agent can be reached at (207) 890-3000, extension 165. Proposals must be received by 3:00 p.m. on Friday, April 22, 2011.

FAXED PROPOSALS WILL NOT BE ACCEPTED.

Career Systems Development Corp. reserves the right to reject any and all bids.
March 24, 25, 26, 2011

Healthcare/
Social Service 211NOW HIRING
CRMA

Best time to call is Monday

Help With Sales 215

The Curtainshop, the premier window fashion leader in Maine has an opening for a FTY DECORATOR SALESPERSON. We are looking for someone

Help Wtd. General 210

Help Wtd. General 210

STAY HIDING

STAY HIDING